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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,653	01/15/2004	Earl W. Boone	CIS0207US	5893
33031	7590	07/01/2005	EXAMINER	
CAMPBELL STEPHENSON ASCOLESE, LLP			NASRI, JAVAID H	
4807 SPICEWOOD SPRINGS RD.				
BLDG. 4, SUITE 201			ART UNIT	
AUSTIN, TX 78759			PAPER NUMBER	
			2839	

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/758,653	BOONE ET AL.	
	Examiner	Art Unit	
	Javaid Nasri	2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 April 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-24 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 5, 10, 12-14, 17, 19 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Abendschein et al (5,419,717).

Abendschein et al discloses, **for claim 1**, an optical connector interface to couple an optical network connector (12) with a mounting surface; and an electrical connector interface to couple an electrical network connector (13) with said mounting surface, wherein said optical connector interface and said electrical connector interface are vertically aligned with one another with respect to said mounting surface, and wherein said optical connector interface and said electrical connector interface are associated with a network element port, **for claims 2 and 14**, the electrical connector interface comprises a registered jack 45 (RJ-45) interface, **for claims 5 and 17**, an electrical isolation circuit coupled to said RJ-45 interface, **for claims 7 and 19**, the optical connector interface and said electrical connector interface are associated with an auto-media detection network element port, **for claims 10 and 22**, the electrical connector interface comprises an upper connector interface of said network element port, and wherein said optical connector interface comprises a lower connector interface of said network element port, **for claim 12**, the mounting surface comprises a printed circuit board (45), **for claim 13**, a network

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element port; an optical connector interface, and an electrical connector interface; wherein said optical connector interface and said electrical connector interface are associated with said network element port; and wherein said optical connector interface and said electrical connector interface are substantially adjacent to one another along a line defined by an intersection of a connector-receiving plane of said network element port and a connector- insertion plane of said network element port.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 4, 8, 9, 11, 15, 16, 20, 21, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abendschein et al in view of Chiu et al (6,692,159).

Abendschein et al discloses all the limitations of claims 1, 2, 13 and 14, as shown above,

However, Abendschein et al does not disclose:

- a) For claims 3 and 15, the optical connector interface comprises an interface of a small form factor pluggable (SFP) optical module. Chiu discloses the optical connector interface comprises an interface of a small form factor pluggable (SFP) optical module, therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention for Abendschein et al to have the optical connector interface comprises an

interface of a small form factor pluggable (SFP) optical module in view of Chiu et al to have different application.

- b) For claims 4 and 16, the optical connector interface comprises an interface of a gigabit interface converter (GBIC) optical module. Chiu discloses the optical connector interface comprises an interface of a gigabit interface converter (GBIC) optical module, therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention for Abendschein et al to have the optical connector interface comprises an interface of a gigabit interface converter (GBIC) optical module in view of Chiu et al to have different application.
- c) For claims 8, 9, 20 and 21, a visual indicator. Official notice is taken that visual indicator are well known in the art, therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention for Abendschein et al to have a visual indicator such as LED or light pipe to indicate which of said optical connector interface and said electrical connector interface is active on said network element port.
- d) For claims 11 and 23, electromagnetic signal shields. Official notice is taken that electromagnetic signal shields are well known in the art, therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention for Abendschein et al to have electromagnetic signal shields to avoid interference.

- e) Abendschein et al discloses all the structural limitations of claim 24 as shown above, however, Abendschein et al does not describe the method as claimed. The claimed method language is counter part of the apparatus claimed. Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to develop a particular method for the disclosed apparatus of the cited references.

***Allowable Subject Matter***

5. Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**REASONS FOR ALLOWANCE**

6. The following is an examiner's statement of reasons for allowance:

The reason for allowance of the claims is the inclusion of the limitation,

The reason for allowance of the claims is the inclusion of the limitation,

- a) For claim 6, none of the prior art teaches or suggest, alone or in combination the electrical isolation circuit comprises one or more magnetic components, in combination with other limitations in the claim which is not found in the prior art reference of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Arguments***

7. Applicant's arguments filed on 4/1/2005 have been fully considered but they are not persuasive.

Regarding applicant's comment:

- a) Abendschein does not disclose an optical connector interface and electrical connector interface associated with a network element port. It should be noted that network element ports are clearly shown in figures 1 and 2. It should also be noted that term *a network element port* is a very broad term. See note below.

Note: USPTO interprets claims, giving claims their "broadest reasonable interpretation."

(See, e.g., *In re Morris*, 127 F.3d 1048, 1054-55 (Fed. Cir. 1997)).

### ***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### **Contact**

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javaid Nasri whose telephone number is 571 272 2095. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tulsidas C. Patel can be reached on 571 272 2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Javaid Nasri  
Primary Examiner  
Art Unit 2839

JN  
Jhn  
June 29, 2005